



Federal Communications Commission
Washington, D.C. 20554

DA 07-3992

September 21, 2007

JD Simpson
ATCONTACT COMMUNICATIONS, LLC
2539 N Highway 67
Sedalia, CO 80135

Re: Call Sign E040025
File No. SES-MOD-20070831-01189
File No. SES-STA-20070831-01190

Dear Mr. Simpson:

On August 31, 2007, ATCONTACT COMMUNICATIONS, LLC (ATCONTACT) filed an application to modify the license for the above-captioned Ku-Band¹ VSAT Network. The application seeks to add additional remote antennas to the authorization. ATCONTACT also filed an STA request to operate the additional antennas prior to action on the modification application. For the reasons discussed below, we dismiss both the modification application and STA request as defective without prejudice to refiling.²

Section 25.112 of the Commission's rules, 47 C.F.R. § 25.112, requires the Commission to return, as unacceptable for filing, any earth station application that is not substantially complete, contains internal inconsistencies, or does not substantially comply with the Commission's rules. ATCONTACT'S application is incomplete, rendering it unacceptable and subject to dismissal.

ATCONTACT did not provide responses to Questions E28-E60 of Schedule B regarding specific frequency bands, antenna polarization, antenna size, transmit and receive antenna gains, emission designators, maximum EIRP per carrier, maximum EIRP density per carrier, total input power at antenna flange, total EIRP for all carriers, modulation and services, elevation and azimuth angles, satellite arc, and maximum EIRP density toward the horizon.

In addition, Question 28 of Form 312 requires applicants to submit a radiation hazard study as an exhibit for new transmitting facilities such as the one proposed.³ ATCONTACT's application did not include this required exhibit.

¹ 11.7-12.2 and 14.0-14.5 GHz bands.

² If ATCONTACT refiles an application identical to the one dismissed, with the exception of supplying the corrected information, it need not pay an application fee. See 47 C.F.R. § 1.109(d).

³ See 47 C.F.R. § 1.1307(b).

Accordingly, pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. §25.112(a)(1), and Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. §0.261, we dismiss ATCONTACT's applications as incomplete without prejudice to refiling. We urge ATCONTACT to ensure the accuracy and completeness of its representations to the Commission in any refiling.

Sincerely,

Scott A. Kotler
Chief, Systems Analysis Branch
Satellite Division
International Bureau

cc: James M. Talens
Counsel for ATCONTACT Communications, Inc.